

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MISSOURI
CENTRAL DIVISION**

In re Application of:)	
)	
)	
THE GOVERNMENT OF GHANA)	
)	Case No. 2:11-mc-09002 v
)	
Applicant.)	
)	
)	
)	
)	

**APPLICATION OF THE GOVERNMENT OF GHANA
FOR DISCOVERY PURSUANT TO 28 U.S.C. § 1782**

Pursuant to 28 U.S.C. § 1782, the Government of Ghana (the “GoG”) respectfully applies for an order directing ProEnergy Services International, Inc. and ProEnergy Services LLC (collectively “ProEnergy”) to produce the documents identified in Appendix A to the attached Proposed Order for use in a foreign proceeding pending before the High Court of Justice (Commercial Division) (“the High Court”) in Accra, Ghana.

The GoG meets all three of the statutory requirements for the issuance of an order compelling the requested discovery. *First*, the GoG is a party to the High Court proceeding and thus an “interested person” pursuant to Section 1782. *Second*, the discovery sought is for use in that foreign court proceeding. *Third*, ProEnergy, the target of the discovery, is found within this district. Moreover, the discretionary factors that this Court may consider favor granting this Application. For these reasons, as well as the reasons set forth more fully in the Suggestions in Support of the Application of the Government of Ghana for Discovery Pursuant to 28 U.S.C. § 1782, the GoG respectfully requests that its Application be granted.

Dated: January 25, 2011

Respectfully submitted,

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